

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:09-501-JFA
)	
v.)	ORDER
)	
MERCELIS DEANDRE ODOM)	
)	
_____)	

This matter is before the court upon defendant's motion for a reduction of sentence (ECF No. 1534) filed pursuant to 18 U.S.C. § 3582. The motion is based on Amendment 750 to the United States Sentencing Guidelines regarding crack cocaine offenses which lowered the crack cocaine disparity ratios.

The government has responded in opposition to the motion noting that the Presentence Report in the defendant's case was based upon a 1 to 1 crack to cocaine ratio. The defendant was determined to be a career offender and subject to a guidelines range of 188 to 235 months imprisonment. He was sentenced to a term of imprisonment of 90 months after the court granted a variance from the guidelines.

The defendant has already received the benefit of a sentence reduction based upon a 1 to 1 ratio which is less than the recent change in Amendment 750 (18 to 1).

Accordingly, the defendant's motion for a reduction of his sentence (ECF No. 1534) is denied.

IT IS SO ORDERED.

November 7, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge